

NOI LETTER REQUIREMENTS TO COMPLY WITH 327 IAC 15-7  
FACILITIES ENGAGED IN MINING OF COAL, COAL PROCESSING  
AND RECLAMATION ACTIVITIES

The State of Indiana has not developed a form letter for Notice of Intent (NOI) letters to comply with the NPDES general permit rules (327 IAC 15). In order to assist the regulated community in this undertaking, the Industrial Permits Section has gone through the NOI letter requirements for **Facilities Engaged in Mining of Coal, Coal Processing and Reclamation Activities** found in 327 IAC 15-3-2 and 327 IAC 15-7-5 to itemize the information needed in the NOI letter.

1. Address the NOI letter to:

Indiana Department of Environmental Management  
Office of Water Management  
Permits Section  
100 North Senate Avenue  
P.O. Box 6015  
Indianapolis, IN 46206-6015

2. Specify that you are submitting the NOI letter to comply with 327 IAC 15-7, for Facilities Engaged in Mining of Coal, Coal Processing and Reclamation Activities, and describe how the facility complies with the applicability requirement of the general permit rule.
3. Provide the name, mailing address, and location of the facility for which the notification is submitted.
4. Provide the Standard Industrial Classification (SIC) code, up to four (4) digits, that best represents the principal products or activities provided by the facility. If you need assistance in determining your facility's SIC code, you may consult The Standard Industrial Classification Code Manual, which should be available at your public library or the Harris Indiana Industrial Directory. You may have been required to provide your SIC code on your business income tax form or your unemployment insurance form.
5. Provide the person's name, address, telephone number, ownership status, and status as federal, state, private, public, or other entity. "Person is defined in 327 IAC 4-1-2, as "an individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, municipal corporation, city, school city, town, school town, school district, school corporation, county, and consolidated unit of government, political subdivision, state agency, or any other legal entity".
6. Provide either:
  - (a) the latitude and longitude of the approximate center of the facility to the nearest

- fifteen (15) seconds, or
- (b)     the nearest quarter section (if the section, township, and range is provided) in which the facility is located.
7.     Provide the name of receiving water, or, if the discharge is to a municipal separate storm sewer, the name of the municipal operator of the storm sewer and the ultimate receiving water.
  8.     Provide the discharge location of each outfall, including each outfall regulated under section 7(b)(6) of 327 IAC 15-7 and its associated receiving stream.
  9.     Provide an identifying outfall number. The numbering shall start at 001 for the first outfall, 002 for the second outfall and continue in that manner until all outfalls are numbered. The sequential number assigned to any outfall identified under Section 7(b)(6) of 327 IAC 15-7 shall be preceded by an "S".
  10.    For each numbered outfall, identify the mine drainage status regulated under section 7(a)(1-4) of 327 IAC 15-7. For numbered outfalls regulated under section 7(b)(6), identify the outfall as discharging storm water.
  11.    Provide the dry weather base flow value for each numbered outfall regulated under section 7(a)(1-4) of 327 IAC 15-7.
  12.    Provide a topographical map identifying the location of the coal mining operation, the receiving streams and the location of each numbered outfall.
  13.    The NOI letter must also include proof of publication of the following statement in a newspaper of largest circulation in the area of the discharge:

"(Your facility name, address, address of the location of the discharging facility, and the stream(s) receiving the discharge(s)) is submitting a Notice of Intent letter to notify the Indiana Department of Environmental Management of our intent to comply with the requirement under 327 IAC 15-7 to discharge wastewater associated with the mining of coal, coal processing and/or reclamation activities. Any person aggrieved by this action may appeal in writing to the Technical Secretary of the Water Pollution Control Board for an adjudicatory hearing on the question of whether this facility should operate under this NPDES general permit rule. An appeal must be postmarked no later than fifteen (15) days from the date of this public notice. Such a written request for an adjudicatory hearing must:

- (A)     state the name and address of the person making the request;
  - (B)     identify the interest of the person making the request;
  - (C)     identify any persons represented by the person making the request;
  - (D)     state with particularity the reasons for the request;
  - (E)     state with particularity the issues proposed for consideration at the hearing;
- and

- (F) state with particularity the reasons why the NPDES general permit rule should not be available to the discharger identified in this notice.

Any such request shall be mailed or delivered to:

Technical Secretary  
Water Pollution Control Board  
P.O. Box 6167  
Indianapolis, IN 46206-6167".

14. Provide the name of the responsible corporate officer and/or written authorization for an alternate person or position to act as the duly authorized representative for that person, if appropriate, who will be responsible for all signatory responsibilities for the facility under 327 IAC 15-4-3(g).
15. Include the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person, or persons, who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."
16. The person identified in item #14 shall sign and date the NOI letter.
17. In accordance with IC 13-18-20-12, a fifty dollar (\$50) application fee must be submitted with the NOI letter in addition to the five hundred dollar (\$500) annual fee. The initial five hundred dollar (\$500) annual fee will not be required of those facilities who have already paid an annual fee for a current individual NPDES permit. The check should be made out to the IDEM.
18. Complete the enclosed Potentially Affected Persons form and NOI letter submittal fee form. Attach the application fee to the completed documents and mail to the address identified in item #1.
19. A copy of the NOI letter and any amended NOI letter must also be sent to the following address:

Indiana Department of Natural Resources  
Division of Reclamation  
R.R. #2 Box 129  
P.O. Box 147  
Jasonville, IN 47438-0147